

Remarks

Claims 1-14, 16-52, and 64-79 are pending in the present application and are rejected.

Claims 15 and 53-63 have been previously cancelled.

Claims 19-52 and 64-79 are now cancelled without prejudice.

Claim 1 is amended to the ethoxylate of an alcohol to be “present in an amount from about 0.1 to about 3 g/l” and the surfactant that is different than component A to be “present in an amount from about 0.1 to about 3 g/l.” The antecedent basis for these ranges is found in the Specification on page 8, l. 9, page 8, l. 11, page. 10, l. 29, and page 9, l. 2. Claim 1 is further amended to limit the ethoxylate to be a “20 to 80 mole ethoxylate.” The antecedent basis for this latter amendment is found in the Specification on page 7, l. 19 for the upper limit of 80 and on page 7, l. 21 for the low limit of 20. These amendments are consistent with the May 19, 2008 Interview with one exception. The low endpoint for both surfactants was lowered to 0.1 g/l. Applicants representative, James Proscia, discussed this adjustment with the Examiner on May 22. The lower value of this range is none determinative in overcoming the rejections set forth below.

Claim 9 is amended to limit the ethoxylate to a 20 to 41 mole ethoxylate. The antecedent basis for this latter amendment is found in the Specification on page 26, l. 15 for the upper limit of 80 and on page 7, l. 21 for the low limit of 20.

Claims 10, 13, and 16 are amended to provide consistency with the amendments of claim 1. In particular, claim 10 is amended to remove “component A is a 5 to 80 mole ethoxylate and .” Claim 13 is amended to remove “and the ethoxylate is a 10 mole or greater ethoxylate.” Claim 16 is amended to remove the two surfactants.

New claims 80 - 95 are presented for Examination. In general, these new claims correspond to claims 1-18. However, claim 80 does not include the limitation "wherein the cleaning composition has an average water-break-free percent reduction of less than 50% after 7 days aging" and the lower limits for the two surfactants is "0.05 g/l."

1. Claim Objection

The objection to claim 64 is now moot since this claim is now cancelled.

2. Claim Rejections Under 35 U.S.C. § 102/103

Claims 1-4, 16-17, 19-20, 27-29, 75 and 78 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Neidiffer et al. (US Patent No. 4,959,105), hereinafter "Neidiffer."

Applicant has amended claim 1 so that the ethoxylate of an alcohol is a "20 to 80 mole ethoxyxlate." Niediffer fails to disclose the use of such an ethoxyxlate. Moreover, Niediffer fails to disclose an alcohol with this degree of ethoxylation combined with a different surfactant with each surfactant being present in an amount from about 0.1 to about 3 g/l.

Claims 19-20, 27-29, 75 and 78 have been cancelled rendering the rejection of these claims moot.

Accordingly, for at least these reasons, claims 1-4 and 16-17 are allowable under 35 U.S.C. § 102(b) and/or under 35 U.S.C. § 103(a) over Neidiffer.

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Neidiffer as applied to the above claims.

Claim 18 depends from claim 1 which is shown above to be allowable. Accordingly, claim 18 is now allowable.

Claims 21-26, 30-52, 76-77 and 79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Neidiffer as applied to the above claims, and further in view of Pace et al. (WO 98/49263), hereinafter "Pace."

Claims 21-26, 30-52, 76-77 and 79 are now cancelled rendering this rejection moot.

Claims 1-4, 7, 9, 16, 17, 19, 20, 24, 26-29, 33, 35, 75, 78 and 79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bershas et al. (US Patent No. 5,476,601), hereinafter "Bershas."

Claim 1 is amended to the ethoxylate of an alcohol and the surfactant that is different than component A are each independently "present in an amount from about 0.1 to about 3 g/l." This range corresponds to a weight percent of about 0.01 wt. % to about 0.3 weight percent. As correctly noted by the Examiner, Bershas includes in part:

0.5% surfactant (III) (see col. 18, lines 60-67), wherein (I) is oleyl [POE(15)] ammonium chloride, (II) is $\text{Fe}_2(\text{SO}_4)_3$, and (III) is Neodol 25-9 (a C12-15ethoxylated alcohol having 9 moles ethoxylate group) having a pH of 2.0 (see Table 7, cols. 21-22, see Example Type A; second named component).

Office Action dated December 31, 2007 (emphasis added).

The amount of surfactant (III) disclosed by Bershas is substantially outside of the range required for either surfactant used in claim 1 of the present rejection. Moreover, the ethoxylated alcohol disclosed in Bershas is a 9 mole ethoxylate which is also outside of the range required by claim 1 (i.e., a 20 to 80 mole ethoxylate).

Claims 19, 20, 24, 26-29, 33, 35, 75, 78 and 79 are cancelled rendering the present rejection of these claims moot.

Accordingly, for at least these reasons, claims 1-4, 7, 9, 16, and 17, are allowable under 35 U.S.C. § 103(a) over Bershas et al.

Claims 1-4, 7, 9, 16, 17, 19, 20, 24, 26-29, 33, 35, 75, 78 and 79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Banaszak et al. (US Patent No. 5,584,943), hereinafter "Banaszak."

As noted by the Examiner, Banaszak discloses use of an ethoxylated surfactant in an amount of 0.5% which is substantially outside the range required by claim 1.

Claims 19, 20, 24, 26-29, 33, 35, 75, 78 and 79 are cancelled thereby rendering the present rejection of these claims moot.

Accordingly, claims 1-4, 7, 9, 16, and 17 are allowable under 35 U.S.C. § 103(a) over Banaszak.

Claims 1-14 and 16-52, 64-75 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. (US Patent No. 6,214,777), hereinafter "Li."

Claims 19-22, 25-31, 34-41, 44-48, 51-52, 64-74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carlston et al. (US Patent No. 6,328,816), hereinafter "Carlson."

Claims 19-22, 25-31, 34-41, 44-48, 51-52, 64-74 are now cancelled rendering this rejection moot.

Claims 19-22, 25-31, 34-41, 44-48, 51-52, 64-74 are cancelled rendering the present rejection moot.

Claims 19-52, 64-74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cardola et al. (WO 00/12661), hereinafter "Cardola."

Claims 19-52, 64-74 are now cancelled rendering this rejection moot.

Conclusion

Applicants have made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

The fee for the three month extension of time in the amount of \$1050.00 is being filed electronically herewith. Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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